THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.Nos.13399, 15243 and 13414 of 2003

COMMON ORDER:

1 Since common questions of fact and law arise in these three Writ Petitions, these petitions are being disposed of by a common order.

2 Petitioners were allotted L.P.G. distributorship under discretionary quota of Ministers. By virtue of the judgment of the apex Court in ***Common Cause Vs. Union of India and others***[1] and connected petitions godown, showroom and the land belonging to the petitioners along with the built up area and the right to the L.P.G. distributorship shall have to be disposed of by way of a public auction, wherein the petitioners also can participate and from out of the money realized in the auction the value of the sites and the constructions thereon, belonging to the petitioners, as determined by the oil corporation has to be paid to them and the remaining amount has to go to the Government coffer.

3 When the second respondent Corporation put up the sites with the structures thereon belonging to the petitioners along with the right to the distribution of the L.P.G. to auction, petitioners filed these Writ Petitions questioning the valuation of their lands and structures thereon made by the second respondent. At the time of admission of these Writ Petitions in 2003, the learned Judge, who admitted the Writ Petitions, passed the following order:

> "Having regard to the facts and circumstances of the case, there shall be a direction to the respondents 2 and 3 not to finalize the auction scheduled to be held on 26.07.2003. There shall also be a further direction not to dispossess the Writ Petitioner from the land in question till disposal of the Writ Petition."

4 I am informed that the auction scheduled to be held on 26.07.2003 did not take place either on that day or till today. So these Writ Petitions became infructuous and hence are dismissed as infructuous.

5 It is needless to mention that as and when respondents 2 and 3 propose to hold the auction as per the directions of the apex Court, they should follow the directions and guidelines issued by the apex Court in Common Cause case (1 supra). No costs.

C.Y.Somayajulu, J.

27.11.2007
kvsn

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[1] (1996) 6 SCC 530